

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

IN RE JOHNSON & JOHNSON
TALCUM POWDER PRODUCTS
MARKETING, SALES PRACTICES,
AND PRODUCTS LIABILITY
LITIGATION

MDL NO. 16-2738 (FLW) (LGH)

THIS DOCUMENT RELATES TO ALL CASES

**PLAINTIFFS' CROSS NOTICE OF TAKING ORAL
DEPOSITION OF STEVEN MANN**

TO: ALL COUNSEL OF RECORD

PLEASE TAKE NOTICE that pursuant to the Federal Rules of Civil Procedure, Plaintiffs, by and through the undersigned counsel, hereby cross-notice the videotaped deposition upon oral examination of Steven Mann in the above-referenced matter. A copy of the original deposition notice is attached as Exhibit A.

Plaintiffs reserve the right to take a supplemental (non-duplicative) deposition of Steven Mann as may be needed based upon the production of documents and other discovery to occur subsequent to the presently scheduled deposition.

The deposition will take place before a person authorized to administer oaths and will continue until completed at the following time:

March 11, 2021, at 9:00 a.m. (EST) via ZOOM.

The deposition will be videotaped before a certified court reporter and may be used for the purposes of discovery or for use by Plaintiff as evidence at trial, both. You are invited to appear and take part in the examination as you deem appropriate.

Dated: February 25, 2021

Respectfully submitted,

/s/ Michelle A. Parfitt

MICHELLE A. PARFITT
Ashcraft & Gerel, LLP
4900 Seminary Road, Suite 650
Alexandria, Virginia 22311
703-931-5500
mparfitt@ashcraftlaw.com

/s/ P. Leigh O'Dell

P. LEIGH O'DELL
Beasley, Allen, Crow, Methvin, Portis & Miles, P.C
218 Commerce Street
Montgomery, Alabama 36104
334-269-2343
leigh.odell@beasleyallen.com

/s/Christopher M. Placitella

Christopher M. Placitella
COHEN, PLACITELLA & ROTH, P.C.
127 Maple Avenue
Red Bank, NJ 07701
732-747-9003
cplacitella@cprlaw.com

ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I hereby certify that on February 25, 2021, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive services in this MDL.

/s/ P. Leigh O'Dell

P. LEIGH O'DELL
Beasley, Allen, Crow, Methvin, Portis & Miles, P.C
218 Commerce Street
Montgomery, Alabama 36104
334-269-2343
leigh.odell@beasleyallen.com

ATTORNEY FOR PLAINTIFFS

Exhibit A

**IN THE CIRCUIT COURT OF THE CITY OF ST. LOUIS
STATE OF MISSOURI**

VICKIE FORREST, et al.,

Plaintiffs,

vs.

JOHNSON & JOHNSON, et al.,

Defendants

Case No. 1522-CC00419-02

Division 1

NOTICE OF VIDEOTAPED (REMOTE) DEPOSITION OF STEVEN MANN

TO: All Counsel of Record

PLEASE TAKE NOTICE that pursuant to Rule 57 of the Missouri Rules of Civil Procedure, Defendants Johnson & Johnson and Johnson & Johnson Consumer Inc., formerly known as Johnson & Johnson Consumer Companies, Inc., shall take the videotaped deposition of **Steven Mann**, in the above-referenced matter, specifically regarding the Johnson & Johnson Defendants. The deposition will be conducted remotely using Veritext Legal Solutions' reporting and videographer services., on **March 11, 2021**, at **9 a.m. EST** pursuant to the Missouri Rules of Civil Procedure before a shorthand reporter and notary public duly authorized to administer oaths.

In addition, Veritext will provide a Zoom platform for the taking of the deposition and presentation of exhibits. An invitation with the link for presentation of exhibits will be circulated in advance of the deposition. The deponent and all persons wishing to attend the deposition shall provide counsel for Plaintiffs with their email addresses no later than four days before the deposition. A licensed and qualified court reporter will administer the oath to the witness

remotely, and will record the testimony by videotape, audio and stenographic means. The deposition will continue day-to-day until completed.

Said deponent will bring/produce documents as referred to in Schedule A attached hereto.

SCHEDULE "A"
Subpoena Duces Tecum

The deponent shall make the following documents and things available for the purposes of inspection and copying:

DEFINITIONS:

The term "document(s)" means and refers to all forms of writings and records, and includes any reduction to tangible form, including computer or magnetic memory or storage, or any other electronically stored information, communication, or data, including any written, recorded, or filmed graphic matter of any kind or nature, however produced or reproduced, including originals, drafts, and non-identical copies, wherever located including, but not limited to, documents and records held or stored on hospital servers, databases, networks, shared networks, local and remote drives, and local and remote drives of individuals.

DOCUMENTS REQUESTED:

1. A copy of the witness's current or most recent resume or curriculum vitae;
2. Any and all documents in the witness's possession, custody, or control which discuss, mention, consider, or contemplate the presence of asbestos in talcum powder products;
3. Any and all documents in the witness's possession, custody, or control which discuss, mention, consider, or contemplate the presence of asbestos in Johnson's Baby Powder;
4. Any and all documents in the witness's possession, custody, or control which discuss, mention, consider, or contemplate the association between talcum powder products and ovarian cancer;
5. Any and all documents in the witness's possession, custody, or control which discuss, mention, consider, or contemplate the association between Johnson's Baby Powder and ovarian cancer;
6. Any and all documents in the witness's possession, custody, or control which discuss, mention, consider, or contemplate the association between asbestos and ovarian cancer;
7. Any and all documents in the witness's possession, custody, or control which discuss, mention, consider, or contemplate the International Agency for Research on Cancer's (IARC) consideration of talc as a human carcinogen;

8. Any and all documents in the witness's possession, custody, or control which reflect communications with any Johnson and Johnson entity or employee after the witness left employment with Johnson and Johnson;
9. Any and all documents in the witness's possession, custody, or control which reflect communications with any Johnson and Johnson entity or employee, after the witness left employment with Johnson and Johnson, regarding talcum powder products;
10. Any and all documents in the witness's possession, custody, or control which reflect communications with any Johnson and Johnson entity or employee, including its lawyers, regarding talcum powder products;
11. Any and all documents in the witness's possession, custody, or control which reflect communications specifically with Susan Nicholson, MD after the witness left employment with Johnson and Johnson;
12. Any and all documents in the witness's possession, custody, or control which reflect communications specifically with the Food and Drug Administration (FDA) regarding talcum powder products;
13. Any and all documents in the witness's possession, custody, or control which reflect communications specifically with Rich Zazenski regarding talcum powder or talcum powder products; and
14. Any and all documents in the witness's possession, custody, or control which refer or relate to, in any way, the following specific individuals or entities regarding talcum powder products:
 - a. Imerys or any of its predecessor companies or entities;
 - b. Rio Tinto or any of its predecessor companies or entities;
 - c. Luzinac Group or any of its predecessor companies or entities;
 - d. Crowell & Morning LLP, including Ridgway M. Hall Jr.;
 - e. Robert Glenn;
 - f. any Meta-Analysis Research Group;
 - g. Joshua Muscat, MD;
 - h. Michael Huncharek; MD; and
 - i. Brooke Mossman, PhD.

Dated: February 18, 2021

Respectfully submitted,

ONDERLAW, LLC

By: /s/ W. Wylie Blair

James G. Onder #38049

William W. Blair #58196

Stephanie L. Rados #65117

110 E. Lockwood, 2nd Floor

St. Louis, MO 63119

314-963-9000 telephone

314-963-1700 facsimile

onder@onderlaw.com

blair@onderlaw.com

rados@onderlaw.com

OF COUNSEL:

R. Allen Smith, Jr. – MSB # 99984
THE SMITH LAW FIRM, PLLC
681 Towne Center Boulevard, Suite B
Ridgeland, Mississippi 39157
Telephone: (601) 952-1422
Facsimile: (601) 952-1426

Timothy W. Porter – MSB # 9687
Patrick C. Malouf – MSB # 9702
John T. Givens – MSB #101561
PORTER & MALOUF, PA
Post Office Box 12768
Jackson, Mississippi 39236-2768
Telephone: (601) 957-1173
Facsimile: (601) 957-7366

Ted G. Meadows – ALB # MEA014
BEASLEY, ALLEN, CROW,
METHVIN, PORTIS & MILES, P.C.
218 Commerce Street
Post Office Box 4160
Montgomery, Alabama 36103
Telephone: (334) 269-2343
Facsimile: (334) 954-7555

Michelle Parfitt, VA Bar No. 33650
James Green, VA Bar No. 24915
Patrick Lyons, DC Bar No. 1034531
ASHCRAFT & GEREL, LLP
4900 Seminary Road, Suite 650
Alexandria, VA 22311
Telephone: (703) 931-5500
Facsimile: (703) 820-1656
Attorneys for Plaintiffs

Certificate of Service

The undersigned hereby certifies that this document was filed and electronically served by way of the Court's electronic filing system on this 18th day of February, 2021.

/s/ W. Wylie Blair